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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,368	04/23/2001	Timothy M. Moore	205895	3824

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EXAMINER

DUONG, OANH L

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/840,368

Applicant(s)

MOORE ET AL.

Examiner

Oanh L. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11 and 18-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11 and 18-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/02/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-10 and 12-17 have been cancelled.

Claims 11 and 18-26 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 11, 18-19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henning Maass (Maass).

Regarding claim 11, Maass teaches a method for providing information to an application on a computing device (Fig. 2), the method comprising

discovering that the computing device is attached to a first network (i.e., detect the presence of the device, page 160, section 3.1.)

associating a first name with the first network (i.e., the network site in which a mobile object is located is identified by a mobility management domain identifier mmd-ID, page 160, section 3.);

upon discovering that the computing device is attached to the first network, discovering information about the first network, the information comprising first physical

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location information (i.e., the tag can determine its absolute geographical position, page 159, section 3.);

providing the first name and the first physical location information to the application (i.e., returns values of attributes currentArea, currentMmd, page 166 section 6.1.);

discovering that the computing device is attached to a second network, the second network different from the first network (i.e., currentMmd is updated by roaming service when the object enters a new mobility management domain, page 164 section 5.1);

associating a second name with the second network, the second name different from the first name (i.e., all entities of the locating system have unique identifier...a mobility management domain identifier mmd-ID, page 160, section 3.);

upon gaining connectivity to the second network, discovering information about the second network, the information comprising second physical location information (i.e., currentMmd is updated by a roaming service when the object enters a new mobility management domain, page 164, section 5.1);

providing the second name to the application (i.e., return...currentMmd, page 166 section 6.1.); and

if the second physical location information differs from the first physical location information, then providing the second physical location information to the application (i.e., applications can query the LIS about current locations of objects, page 158, section 1.)

Maass teaches currentMmd is updated by a roaming service when the object enters a new mobility management (page 164 section 5.1.). A person of ordinary skill in the art readily recognizes that the above teaching is equivalent to the device/object is roamed from a first network/ a current mobility management to a second network/ a new mobility management

Regarding claim 18, Maass teaches consulting a list of physical-location discovery methods applicable to the first network (page 160 section 3.1.)

Regarding claim 19, Maass teaches performing a plurality of physical-location discovery methods listed as applicable to the first network (page 160 section 3.1.)

Regarding claim 26, a computer-readable medium having computer-executable instructions of claim 26 performs a method of claim 11; therefore, claim 26 is rejected under the same rationale as applied to claim 11.

2. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henning Maass (Maass) in view of Admitted Prior Art (APA).

Regarding claim 20, Maass does not explicitly teach error ranges. However, APA teaches error ranges (see page 42 lines 18). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the

error ranges in teaching of Maass as taught by APA because it was conventionally employed in the art to allow location information to be provided with high accuracy.

Regarding claim 21, Maass teaches a method used in discovering the physical location information (e.g., see page 160 section 3.1). Maass does not explicitly teach latitude, longitude, and altitude. However, APA teaches latitude, longitude, altitude (page 42 lines 16-18). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to applied the conversion format in the teaching of Maass as taught by APA because it was conventionally employed in the art to allow the absolute terrestrial position of any computing device to be computed.

3. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henning Maass (Maass) in view of Hayes (US 6,225,944 B1).

Regarding claim 23, Maass does not explicitly teach notifying step as claimed. Hayes teaches notifying the application if third location information is discovered that differs from the first physical location information (e.g., see col. 6 lines 44-56). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine application notification in the system of Maass as taught by Hayes because such notification would provide information to the application with high accuracy (Hayes, col. 1 lines 55-56).

Regarding claim 22, Maass/Hayes teaches converting the discovered physical location information into a common format before reporting it to the application (Hayes, col. 6 lines 16-21).

Regarding claim 24, Maass/Hayes teaches consulting a reporting threshold set by the application, and notifying the application only when the magnitude of a difference between the first and third physical location information exceeds the reporting threshold (Hayes, col. 4 lines 57-64 and col. 6 lines 51-56).

Regarding claim 25, Maass/Hayes teaches notifying the application when physical information provided to it is supplemented by further information (e.g., see col. 6 lines 44-56).

Response to Arguments

4. Applicant's arguments filed 10/01/200 have been fully considered but they are not persuasive.

In the remarks, applicants argued in substance that

(A) the cited art does not teach ^a computing ~~is~~ device ~~is~~ connected to multiple networks.

As to point (A), the prior art does teach the computing device is connected to multiple networks. For example, Maass teaches the computing device is connected to multiple networks (i.e., currentMmd is updated by a roaming service when the object enters a new mobility management, page 164 section 5.1.). A person of ordinary skill in the art readily recognizes that the above teaching is equivalent to the device/object is roamed from a first network/ a current mobility management to a second network/ a new mobility management

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

o.d
February 16, 2005


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER